

Background:

The Council will review the minutes from the August 5, 2016, Council meeting and the August 4, 2016, Committee of the Whole meeting.

Council — Agenda Item 3**Expected Action:**

The Council will review, revise as appropriate, and approve.

COUNCIL MEETING August 5, 2016 — MINUTES

Council Members Present

Mary Durham, Council Chair
Hunter Adkins
Kimberly Blackmon
Gladys Cortez
Kristen Cox
Mateo Delgado
Mary Faithfull, DRT
Stephen Gersuk
Ivy Goldstein, DSHS
Jennifer Kaut, DARS
Ruth Mason
Scott McAvoy
Michael Peace
Ron Roberts, TEA
Amy Sharp, UT — CDS

Meagan Sumner, A&M —
CDD
Lora Taylor
David Taylor
Rick Tisch
John Thomas
Donnie Wilson, DADS
April Young, HHSC

Council Members Absent

Kristine Clark
Dana Perry
Brandon Pharris

Guests Present

Justin Babineaux, DADS
Carol Dold

Warner Dold
Isabel Evans
Holton George
Rachel Jew, DARS
Brian White

Staff Present

Beth Stalvey, Executive
Director
Martha Cantu
Joanna Cordry
Cynthia Ellison
Danny Fikac
Ashley Ford
Jessica Ramos
Joshua Ryf
Koren Vogel

Call To Order

The Texas Council for Developmental Disabilities convened on Friday, August 5, 2016, in the Salon A-C of the Horseshoe Bay Resort, 200 Hi Circle North, Horseshoe Bay, TX 78657. Council Chair Mary Durham called the meeting to order at 9:04 AM.

1. Introductions

Council members, staff and guests were introduced.

2. Public Comments

Council member Kristen Cox spoke about events taking place in the evenings after meetings and making sure all were invited and included.

Brian White of the Texas State Independent Living Council (SILC) spoke on behalf of that organization and provided a brief update on the two TCDD projects for which SILC is the grantee. He noted that as SILC begins planning for the transportation summits they are recruiting 30 Texans with disabilities to serve as transportation advocates.

3. Consent Items

Chair Durham reviewed consent items including the minutes from the May 6, 2016, Council meeting and May 5, 2016 Committee of the Whole meeting and the excused absences of Kristine Clark, Dana Perry, and Brandon Pharris. Ron Roberts of TEA is attending from that agency as a non-voting representative and he expects to soon be named as the agency representative to the Council.

MOTION: To approve the minutes of the May 6, 2016 Council meeting and May 5, 2016 Committee of the Whole meeting as well as the excused absences as noted.

MADE BY: Lora Taylor

SECOND: Mateo Delgado

The motion **passed** without unanimously.

4. **Chair & Executive Director's Report**

Chair Durham expressed her gratitude to TCDD staff for their efforts on behalf of the Council.

Executive Director Beth Stalvey provided an update on TCDD staff to note that there are two current staff vacancies. An offer has been extended for the Public Policy Specialist position and the Grants Management Specialist position will again be posted to accept applications. Stalvey next recognized Planning Director Joanna Cordry for 15 years of service to TCDD and presented her with certificate acknowledging that service. Grants Management Specialist Sonya Hosey was also recognized for 15 years of service although she was not in attendance.

Stalvey reported that she and Cordry attended the annual NACDD conference in July where staff and participants from Texas Tech University provided a well-received presentation on the TCDD higher education project (Project CASE). In conjunction with the NACDD conference, the Technical Assistance Institute hosted by the Administration on Intellectual and Developmental Disabilities (AIDD) was held and Stalvey and Cordry learned of new performance measures as well as the new format for FY 2017 reporting. The Administration on Community Living (ACL), which oversees AIDD, has instituted the new reporting system and requires DD Councils to be the first agencies to use the new system. The FY 2017 – 2021 state plan will be submitted on August 15 using this new system. Stalvey also recently participated in a panel discussion on disability policy at the American Association on Intellectual and Developmental Disabilities – Texas Chapter (AAIDD-TX) convention in July.

5. **Future Activities for State Plan Implementation**

Project Development Committee Chair Gladys Cortez reported on Committee discussion of the executive summary for TCDD Policy Fellows. This project would allow organizations to employ policy fellows for up to two years and support them to learn from policy mentors. By the end of the fellowship, an individual would be prepared to work on national, state and community levels and identify the major social, economic and health conditions facing individuals with intellectual and developmental disabilities.

MOTION: To approve the Executive Summary to fund two new 2-year TCDD Policy Fellowships each year for five years, for up to \$135,000 for year one, \$270,000 for years two – five, and \$135,000 for year six, with the expectation that the organization would give hiring preference to individuals with developmental disabilities.

MADE BY: Gladys Cortez for the Project Development Committee (motions from Committee do not need a second)

The motion **passed** unanimously. (Attachment 1)

Cortez reported that the Committee recommends adding the new Public Policy Fellows project to the Future Funding Priorities list as the fifth priority. The Partnership with African American Clergy to Support Families project that was in the fifth position was moved from that spot to the 10th position. Items 1-4 and 6-9 remain the same.

MOTION: To approve revisions to the Future Funding Priorities list by placing Public Policy Fellows at priority 5 and moving Partnership with African American Clergy to Support Families to priority 10.

MADE BY: Gladys Cortez for the Project Development Committee

The motion **passed** unanimously. (Attachment 2).

6. **Position Statement Review**

Public Policy Committee Chair Lora Taylor reported that the Public Policy Committee reviewed draft revisions to three position statements but elected to take no action on the Education position statement until additional revisions could be considered. The Committee reviewed the Employment statement and the recommended revisions as presented in Council materials.

MOTION: To approve proposed revisions to the TCDD Employment Position Statement.

MADE BY: Lora Taylor for the Public Policy Committee

The motion **passed** unanimously. (Attachment 3).

Taylor reported that the Public Policy Committee discussed the Transition position statement and recommended revisions as presented in Council materials.

MOTION: To approve proposed revisions to the TCDD Transition Position Statement.

MADE BY: Lora Taylor for the Public Policy Committee

The Council had further discussion on the Workforce Innovation and Opportunity Act and it was also suggested that transition services beginning at age 14 are too late to be effective.

AMENDMENT: To add language about beginning transition services that says “14 or earlier as needed”.

MADE BY: Scott McAvoy

The motion **passed** unanimously. (Attachment 4).

7. Public Policy Priorities

Public Policy Committee Chair Taylor reported on the Committee discussion of the 2017 Public Policy Priorities. Priorities will include Long Term Services and Supports, Employment, Education, and Guardianship Reform and Supported Decision Making. The Committee recommends Council approval as presented with one additional line in the final priority on Guardianship Reform so that it reads "...by improving access to alternatives to guardianship *and supported decision making* and advancing protections...".

MOTION: To approve the TCDD 2017 Public Policy Priorities with suggested revisions

MADE BY: Lora Taylor for the Public Policy Committee

The motion **passed** unanimously. (Attachment 5).

8. Memorandum of Understanding with Texas Education Agency

Council Chair Durham reported that the Executive Committee reviewed the FY 2017 Memorandum of Understanding with Texas Education Agency (TEA) and noted the only change to the document for the upcoming year is that TEA will assume responsibility for TCDD's toll-free phone line.

MOTION: To approve the FY 2017 Memorandum of Understanding with TEA

MADE BY: Mary Durham for the Executive Committee

The motion **passed** unanimously. (Attachment 6).

9. FY 2017 Operating Budget

Operations Director Martha Cantu reviewed the proposed budget for FY 2017 operating expenses based on level funding from FY 2016. She noted that the proposed budget increases by \$155,316 from the previous year but added that it is less than the increase from FY 2015 to FY 2016. The increases are a result of reclassifications to staff positions but other categories such as professional services were decreased. Chair Durham noted that the Executive Committee had no issues with the proposed budget.

MOTION: To approve the FY 2017 Operating Expense Budget

MADE BY: Mary Durham for the Executive Committee

The motion **passed** unanimously. (Attachment 7).

10. Amendments to Council Policies and Procedures

Executive Director Stalvey reviewed proposed revisions to Council Policies and Procedures that would align with recent revisions to the Council's Administrative Code. The revisions would clarify Council membership regarding representation of federal programs, clarify the grantee appeal process, define the process for payment withholding when a grantee is non-compliant, and increase reimbursement rates for attendant and respite services provided for members during meetings. Per Council policy, members received specific written notification of proposed revisions more than 10 days prior to the meeting.

MOTION: To approve revisions to Council Policies and Procedures

MADE BY: Mary Durham for the Executive Committee

The motion **passed** unanimously. (Attachment 8).

11. Parent Perspective – Mr. Holton George

Planning Specialist Danny Fikac introduced Mr. Holton George who is a local resident in the Marble Falls area and has a 57 year old son, Robbie, who has multiple disabilities. Mr. George discussed his decades-long experience of accessing services and supports for Robbie. He noted that in the 1960s most agencies wouldn't help because he didn't fit into a specific program due to his multiple disabilities and he was urged to admit Robbie to a state institution. After attending school in Alabama as well as the Hellen Keller Institute, Robbie became the first consumer in the Deaf/Blind program at Texas Rehabilitation Commission. Robbie has had a number of challenges with hospital stays and residential care but has been employed in the San Antonio area as well as Marble Falls while living in a group home setting. Mr. George discussed the improvements that he has seen over the years but notes there is still work to be done. Council members expressed their gratitude to Mr. George for being a trailblazer in disability advocacy.

12. Communications and Marketing Activities Report

Communications Director Joshua Ryf provided updates on communications activities from the past quarter. He discussed the recent audit of website maintenance which had positive results with good suggestions for improvement from the auditors. Ryf noted that social media accounts continue to see steady growth but there has been a substantial increase to TCDD e-mail subscriptions as a result of specific outreach at conferences and other functions. Ryf further discussed changes to Facebook in the formatting of business pages as well as highlights from information and marketing campaigns. Ryf reviewed upcoming events as well as awareness days and months noting that October as National Disability Employment Awareness Month will see a large amount of activity.

13. Executive Committee Report

Chair Durham reviewed the new and continuation grant funding that was awarded during the Executive Committee meeting. New grant funding was awarded for a Public Policy Fellowship to EveryChild, Inc., for a Higher Education Collaborative project to Texas A&M University and for an Outreach and Development project to Imagine

Enterprises. Continuation grant funding was awarded to Volar Center for Independent Living (Building Community Capacity through Collaboration), Texas Tech University (Support for Project SEARCH), and Light & Salt Association (Culturally Appropriate Family Supports. Three event stipends and four speaker stipends were awarded this quarter.

The Executive Committee reviewed an appeal from Mounting Horizons who did not receive funding for a Leadership and Advocacy grant and the Committee determined that the proper process was followed and the original decision to not fund was upheld.

The Committee approved three new individuals to the pool of potential Independent Review Panel members.

Operations Director Cantu reviewed the quarterly financial reports and explained the new formatting of the reports. 68% of the Operating Expense budget has been spent and this is on target for this point in the fiscal year. All of FY 15 funds have been assigned to projects and there is about \$1 million remaining in FY 16 funds to assign and this will happen prior to the September 1, 2017 deadline. It was also noted that TCDD received an additional \$102,470 in FY 16 funding as a one-time allocation because Puerto Rico returned funding that could not be spent and this was distributed amongst all DD Councils. The Executive Committee members did not express any concerns with the agency financial reports.

The Committee reviewed Conflict of Interest disclosures and no concerns were noted.

14. Project Development Committee Report

Project Development Committee Chair Cortez reported that following discussion on a Sibling Leadership Network, staff were directed to develop an executive summary for a project on this subject. The Committee reviewed other project ideas but did not have specific recommendations at this time.

15. Public Policy Committee Report

Public Policy Committee Chair Taylor expressed her appreciation for all of the Committee of the Whole presentations on Employment issues. She reported that the Committee discussed recent reports of high levels of lead in the drinking water at three state supported living centers (SSLCs). Committee member Ruth Mason also provided comments on this topic in conjunction with Sunset Committee recommendations to consolidate SSLCs and close the Austin State Supported Living Center.

16. State Agency Representatives Quarterly Activities Report

Ivy Goldstein, Department of State Health Services, reported that Rachel Jew has been named as the director of the Children with Special Health Care Needs program. Goldstein recently hosted focus groups on access and barriers to services at the Texas Parent to Parent Conference.

April Young from Health and Human Services (HHSC) reported that information

sessions on the STAR Kids managed care program roll-out will begin in August. She also reported that the first major phase of the HHSC transformation will begin on September 1, 2016 with the creation of the Medical and Social Services Division under the new Deputy Executive Commissioner, Gary Jessee. The agency Legislative Appropriations Request are due to the Legislative Budget Board on August 26, 2016 with the HHSC hearing scheduled for September 22, 2016.

Department of Aging and Disability Services (DADS) representative, Donnie Wilson, discussed transformation activities noting that three quarters of the agency staff have received their assignments. He noted that DADS will retain oversight of SSLCs until 2018.

Department of Assistive and Rehabilitative Services (DARS) representative Jennifer Kaut reported that there is still a great deal that is unknown about the transition to Texas Workforce Commission on September 1, 2016 but that transition should not result in a change for consumers.

Texas Education Agency (TEA) representative Ron Roberts discussed agency reorganization following the recent appointment of Mike Morath as Commissioner. He noted that Morath feels the agency should have more of a service and less of a regulatory role for Texas schools. Morath is working to establish stakeholder groups to gain input.

Meagan Sumner, Texas A&M Center on Development and Disability, reported their focus on end of year reporting and they are participating in 43 total projects at this time.

Amy Sharp, TCDS, discussed two new projects including a grant that will create a curriculum to include people with intellectual disabilities as research staff and this curriculum will be distributed nationwide. The second project works with Special Olympics to create awareness and address obesity in people with intellectual and developmental disabilities.

17. Announcements and Updates

Council members discussed dates and locations of future meetings of November 2–4, 2016 (Sonesta Bee Cave-Austin), February 8-10, 2017 (Holiday Inn Austin Midtown), May 3–5, 2017 and August 2-4, 2017.

Adjourn

Council Chair Durheim adjourned the meeting at 12:05 PM

Beth Stalvey, Secretary to the Council Date

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TO: TCDD Executive Committee
FROM: Danny Fikac, Planning Specialist
SUBJECT: Summary of Recommendations: TCDD Policy Fellows Request for Proposals
DATE: August 3, 2016

TCDD staff convened a review panel to evaluate proposals for the TCDD Policy Fellow Request for Proposals (RFP). Up to two projects can be funded. Behind this memo is the summary of the review panel and staff comments.

TCDD Policy Fellow Goal: The purpose of these projects is to increase the number of policy professionals in Texas who have the skills, knowledge and experience to engage in policy activities so that people with developmental disabilities have greater control over their own lives.

Authorized funding amount per RFP: TCDD has made available up to \$67,500 for up to two organizations per year for up to two years.

TCDD received one proposal:

- Every Child

The review panel unanimously selected the proposed project for funding.

2016-1 TCDD Policy Fellow

Organization: EveryChild, Inc.

Funding Requested: \$67,500

Location of Main Office: Austin, TX

Match: \$22,500

Summary of Proposal:

The target population for the policy work will be children and young adults under age 22 with developmental disabilities and their families. The Policy Fellow will learn about family based alternatives for children and youth with intellectual and developmental disabilities who are living in facilities under the auspices of the Texas Department of Aging and Disability Services (DADS) and the Department of Family and Protective Services (DFPS). They will also learn about state Medicaid and Medicaid waivers that can support children to live with families instead of in institutions and other relevant state and community level disability policies affecting the ability of children and youth with developmental disabilities to live a full and meaningful life in a family.

Strengths Noted by the Review Panel:

- EveryChild has developed many relationships with government and other entities.
- The proposal identifies existing resources or opportunities.
- Self-determination is not discussed specifically; however, through the Project Advisory Committee (PAC), families and people with disabilities will be included and provide expertise.
- They were very thorough in the plan to train the policy fellow.
- The proposal reflects meaningful input from a range of stakeholders, including people with developmental disabilities. The proposal promotes full inclusion and independence for individuals with developmental disabilities and their families.
- EveryChild appears to have a clear understanding of the Texas system that provides support to families and individuals as well as how to create policy change.
- Significant emphasis is placed on building relationships.
- The TCDD Policy Fellow will be provided with a mentor from EveryChild to help in developing a deep understanding of policy and skills to effectively engage in policy issues.
- The mentor, EveryChild staff, and additional stakeholders, will meet at least weekly.
- Raised public awareness could impact large numbers of individuals and their families.

Additional Strengths Noted by TCDD Staff:

- EveryChild would be a quality placement for a public policy fellow.

Concerns Noted by the Review Panel:

- There does not appear to be clear evidence of collaboration with non-traditional partners, although it is assumed EveryChild will do so.
- The proposal does not show how, other than through the PAC, individuals with disabilities would be assisting with the project.
- There are no specifics about recruiting from around Texas, although this is probably the case.
- It's assumed the program director will be the mentor, but job duties should be better defined.

Additional Concerns Noted by TCDD Staff:

- EveryChild's proposed budget needs clarification and revision.

TCDD Future Funding Activities Priority List — July 14, 2016

Number	Organization/Activity	Possible Projects	Funding “Up To”	Council Approved	Expected RFP Post	Expected Start	Expected End
N/A	Outreach & Development Projects – 2.0 Projects for up to 18 months ¹	5 per year	\$10,000 per project	2/5/13	TBD	FY 14–16	Variable
N/A	Developmental Disability Policy Fellows Program Award up to 2 two-year Fellowships in each of Year 1 and 2 Up to 3 yrs. ¹	1	Year 1 up to \$135k Year 2 up to \$270K Year 3 up to \$135K	8/9/13	2/21/2014 3/4/2016	8/1/201 9/1/2016	7/31/2016 8/31/2018
N/A	Leadership Development and Advocacy Training Up to 5 years ²	4	\$75,000 per year	8/8/14	9/4/15	4/1/16	3/31/16
1	Partners in Policymaking Up to 5 years ¹	1	Year 1 up to \$150K Year 2 up to \$225K Year 3 up to \$250K Year 4 and 5 up to \$300K	11/6/15	TBD	TBD	TBD
2	Alternatives to Guardianship and Supported Decision Making DD Network Project Up to 5 years	1	TBD	2/5/16	TBD	TBD	TBD
3	Higher Education Collaborative Up to 5 years ¹	1	TBD	2/5/16	3/25/16	11/1/16	10/31/21
4	Support for Student Research-Related Expenses on Disability-Related Topics Up to 5 years	3	\$25,000 per year per project	11/7/14	TBD	TBD	TBD
5	Partnership with African American Clergy to Support Families Up to 5 years	1	\$75,000/yr.	5/3/13	N/A	TBD	TBD
6	Youth Leadership Development Up to 5 years	3	\$125,000 per year per project.	5/5/16	9/15/16	TBD	TBD

Number	Organization/Activity	Possible Projects	Funding “Up To”	Council Approved	Expected RFP Post	Expected Start	Expected End
7	Outreach Development Up to 5 years	5	Year 1 up to \$10K Year 2 up to \$20K per project	5/5/16	10/1/16	TBD	TBD
8	Peer Support Specialists for Person Directed Planning Up to 4 years	1	Year 1 up to \$100K Year 2-4 up to \$125K	5/5/16	TBD	TBD	TBD
9	Translation Services Up to 3 years	1	\$25000 per year	5/5/16	TBD	TBD	TBD

Legend:

- 1) Open RFP or Proposals received are under review at time of printing.
- 2) Proposals have been approved, awarded or project is in process of beginning since last Council meeting.

Employment Position Statement

The Texas Council for Developmental Disabilities supports the ~~position that state's Employment First law and policy that earning a living wage through competitive employment in the general workforce is the priority and preferred outcome for working-age individuals with disabilities who receive public benefits. People~~ people with disabilities have the right to meaningful employment at competitive wages that includes job training, and opportunities for career growth and enhancement- as lifelong learners. Employment opportunities in the community ~~job market~~ should be open readily available to people with disabilities without discrimination or segregation.

Through employment, people with disabilities gain an important point of entry into their communities, a sense of being valued, earned wages, ~~and~~ job benefits and an opportunity to make a meaningful contribution. With ~~both these~~ tangible and intangible rewards from employment, people with disabilities ~~secure-achieve~~ greater independence and freedom from public support service systems.

The Texas Council for Developmental Disabilities supports the position that affirms that:

- State agencies should ~~work together to implement-revise~~ policies to ~~enact-align-with~~ the state's Employment First law and policy ~~that competitive employment at a living wage in the general workforce is the first and preferred outcome of publicly-funded services for all working-age Texans with disabilities~~.
- ~~State agencies should work together to ensure that students~~ Students with disabilities ~~should~~ receive a strong social, emotional and academic sound foundation in their K-12 educational. ~~This foundation based on-should-include~~ person-centered planning and that supports each the student's transition into higher education or a career after graduation. High school education must provide a range of choices in career preparation such as vocational training, career and technology education, preparation for higher education and opportunities for completive integrated employment ~~in the community~~.
- Transition plans should identify and fully support individualized, meaningful goals that reflect each student's highest potential and preferences. ~~and should be pursued ambitiously~~.
- People with disabilities have the right to self-determination in establishing their career path, career goals, job placement or self-employment options, retention, advancement, and retirement plans. People with disabilities who depend on public benefits for health care and long-term services and supports should be able to participate in employment without losing these supports.

- People with disabilities should have access to an array of individualized, flexible and coordinated support services including assistive technology ~~and supports~~, as long as necessary to obtain and keep employment.
- ~~People with disabilities should be able to participate in employment without losing necessary public benefits, especially access to health care.~~
- ~~Employment opportunities and the benefits of employment should be fully accessible to people with disabilities beginning with recruitment and continuing through retirement. Employers should strive to make the physical environment accessible, use accessible technology, and provide individualized, reasonable accommodations.~~
- ~~The e~~Employment needs of people with disabilities should be effectively addressed through a collaborative effort by businesses, professional organizations, state and local governments, and people with disabilities and their support networks.
- Entities involved in statewide employment initiatives should disseminate information about civil rights laws that protect and guarantee the rights of people with disabilities, as well as resources available to support people with disabilities in the workplace, and protection from workplace bullying and abuse.
- Entities involved in statewide employment initiatives should disseminate information to employers and the business community to overcome the negative perceptions and fears of hiring people with disabilities, and to explain-promote the benefits and incentives for hiring people with disabilities.
- Entities involved in statewide employment initiatives should assist people with disabilities to develop successful self-employment options-initiatives that can include micro-enterprises and other entrepreneurial ventures.

Work is a fundamental part of adult life, and for people with disabilities, taking part in working life is an essential condition to equal participation in society. Individuals with disabilities in the Texas competitive labor force have a positive financial impact on our economy, generating income that is ultimately returned in the form of tax revenues and the purchase of goods and services.

Approved ~~May 9, 2014~~

Employment Position Statement

The Texas Council for Developmental Disabilities supports the state's Employment First law and policy that earning a living wage through competitive employment in the general workforce is the priority and preferred outcome for working-age individuals with disabilities who receive public benefits. People with disabilities have the right to meaningful employment at competitive wages that includes job training, and opportunities for career growth and enhancement. Employment opportunities in the community should be readily available to people with disabilities without discrimination or segregation.

Through employment, people with disabilities gain an important point of entry into their communities, a sense of being valued, earned wages, job benefits and an opportunity to make a meaningful contribution. With both tangible and intangible rewards from employment, people with disabilities achieve greater independence and freedom from public support service systems.

The Texas Council for Developmental Disabilities supports the position that:

- State agencies should work together to implement policies to enact the state's Employment First law and policy.
- State agencies should work together to ensure that students with disabilities receive a strong social, emotional and academic K-12 educational foundation based on person-centered planning that supports each student's transition into higher education or a career after graduation. High school education must provide a range of choices in career preparation such as vocational training, career and technology education, preparation for higher education and opportunities for competitive integrated employment.
- Transition plans should identify and fully support individualized, meaningful goals that reflect each student's highest potential and preferences.
- People with disabilities have the right to self-determination in establishing their career path, career goals, job placement or self-employment options, retention, advancement, and retirement plans. People with disabilities who depend on public benefits for health care and long-term services and supports should be able to participate in employment without losing these supports.
- People with disabilities should have access to an array of individualized, flexible and coordinated support services including assistive technology, as long as necessary to obtain and keep employment.
- Employment needs of people with disabilities should be effectively addressed through a collaborative effort by businesses, professional organizations, state and local governments, and people with disabilities and their support networks.
- Entities involved in statewide employment initiatives should disseminate information about civil rights laws that protect and guarantee the rights of people with disabilities as well as resources available to support people with disabilities in the workplace, and protection from workplace bullying and abuse.

- Entities involved in statewide employment initiatives should disseminate information to employers and the business community to overcome the negative perceptions and fears of hiring people with disabilities, and to promote the benefits and incentives for hiring people with disabilities.
- Entities involved in statewide employment initiatives should assist people with disabilities to develop successful self-employment initiatives that can include micro-enterprises and other entrepreneurial ventures.

Work is a fundamental part of adult life, and for people with disabilities, taking part in working life is an essential condition to equal participation in society. Individuals with disabilities in the Texas competitive labor force have a positive financial impact on our economy, generating income that is ultimately returned in the form of tax revenues and the purchase of goods and services.

Approved TBD

Transition from School to Adult Life Position Statement

The Texas Council for Developmental Disabilities supports the position that ~~people with disabilities have the right to live in and be an integral part of their communities, to be employed, to be independent and to make informed choices about their lives. Each~~ students with disabilities, as all youth, must be given opportunities to achieve academic success and develop decision-making skills to foster independence and self-determination, to cultivate personal interests and preferences, to explore and pursue career opportunities and personal interests that are both relevant and meaningful, ~~and to participate in job training, job placement and community experiences as part of the transition from school to adult life. Transition plans should identify and fully support individualized goals that reflect each student's highest potential and preference.~~

Transition plans ~~planning~~ are required for students receiving special education services beginning at age 14 and must be updated annually should with concrete steps to guide and prepare help a students to move from school to adult lives life and with the necessary skills, services and supports that will enable them to be fully included in their community and exercise control over their own life. Student training in decision-making, self-determination, self-advocacy, and individual rights must be part of the plan. must address key life areas related to health, work, recreation and leisure, home living, community participation, and opportunities to continue learning after high school. Transition planning ~~should~~ must also include proactive pursuit of higher education options academic and vocational opportunities for students and should that reflect the Texas "Employment First" law and policy , ~~stating~~ that "earning a living wage through competitive employment in the general workforce is the priority and preferred outcome for working-age individuals with disabilities who receive public benefits." ~~This can include a range of post-secondary opportunities, such as but not limited to attending higher education college, technical schools, or pursuing national service vocations. The individual services provided ultimately depend on the student's needs and interests, and choices.~~

The Council supports the direction of the Workforce Innovation and Opportunity Act (WIOA), which requires that:

- pre-employment transition services include job exploration, work-based learning experiences, counseling on opportunities for higher education, and workplace readiness training, as well as ~~In addition, it should include~~ training education in self-determination, self-advocacy, and individual rights;
- a person under age 25 cannot be paid subminimum wages unless the individual has received these pre-employment transition services or transition services under IDEA, and has applied for vocational rehabilitation services; and
- the individual must be given career counseling and information and referral to other resources for services to assist the individual in attaining competitive integrated employment by an entity that does not have a financial interest in the individual's employment outcome.

~~A comprehensive array of timely services supports, coordinated among and between all adult service agencies and the local education agency, is imperative to maximize choices and opportunities for students with disabilities to achieve independence and be contributing and respected members of their communities. The transition planning process should be a thoughtful, student-centered, student-led process that takes into account the individual's unique values, preferences, abilities and challenges. In addition, it should include training in self-determination, self-advocacy and individual rights.~~

Transition planning should include local and regional agencies that can help a student access ~~services and~~ supports beyond secondary school by providing essential information about the ~~opportunity process to apply~~ for applying for community-based long-term services and supports through Medicaid waiver and non-waiver services, Social Security disability benefits, affordable community-based housing options ~~in the community~~, Vocational Rehabilitation S workforce services, and available transportation options. Transition planning should clearly address student and family concerns about maintaining benefits, including health benefits, while the student pursues work and/or school.

Successful transition planning can only be accomplished when each student and his or her parents have the information, knowledge, skills, and access to supports and services that empower them to fully participate in the process of planning the student's future. The ~~w~~Whole communityies, including families, schools, businesses, employers, health care providers, public service agencies, and other stakeholders, must work together to identify, locate, and share resources to assist in promoting successful post-school outcomes. It should be the local education agency's responsibility to make information and education available to students and families regarding how to actively and effectively participate in transition planning. including resources ~~about~~ regarding how to secure an independently facilitated transition plan and resources to connect with others ~~parents with personal experience with transition planning~~. Students should have the opportunity to identify and select the participants in their transition planning processes.

~~Successful transition planning is facilitated when each student and his or her parents have the information, knowledge, skills, and access to supporting services that enable them to fully participate in the process of planning the student's future. That information, knowledge, skills, and access should be coordinated through the student's local education agency. If a student is not affiliated with a local education agency, the transition planning process should be coordinated by a single other agency, entity, or individual having responsibility for such planning and chosen by the student or family.~~

~~The Council values the diversity and unique contributions of each citizen of the state. Fragmentation of the various service delivery systems results in the provision of inadequate, untimely, and/or inappropriate services and costly duplicative efforts. Coordination among young adults and their families, local education agencies, outside agencies, and others on information sharing, flexible scheduling, and ~~implementation timelines~~ the timeline for plan implementation is ~~critical-essential~~ to ensure successful transition from school to adult life.~~

~~The ultimate measure of successful transition planning is to increase the numbers of young adults engaged in stable employment in integrated settings at competitive wages after completing secondary and/or post-secondary education experiences. It is the Council's~~ The Council supports the position that providing effective transition planning and services for young adults with disabilities is beneficial for ~~benefits~~ each community and the entire state. People Students with disabilities who ~~are~~ become employed enrich the diversity of our communities, rely less on publicly-funded services, and contribute to the overall well-being of the community's economic base.

Approved May 9, 2014

Transition from School to Adult Life Position Statement

The Texas Council for Developmental Disabilities supports the position that students with disabilities, as all youth, must be given opportunities to achieve academic success and develop decision-making skills to foster independence and self-determination, and pursue career opportunities and personal interests that are both relevant and meaningful. Transition plans should identify and fully support individualized goals that reflect each student's highest potential and preference.

Transition plans are required for students receiving special education services beginning at age 14 and must be updated annually with concrete steps to guide and prepare students to move from school to adult lives with the necessary skills, services and supports that will enable them to be fully included in their community and exercise control over their own life. Student training in decision-making, self-determination, self-advocacy, and individual rights must be part of the plan. Transition planning must include academic and vocational opportunities that reflect the Texas "Employment First" law and policy, that "earning a living wage through competitive employment in the general workforce is the priority and preferred outcome for working-age individuals with disabilities who receive public benefits."

The Council supports the direction of the Workforce Innovation and Opportunity Act (WIOA), which requires that:

- pre-employment transition services include job exploration, work-based learning experiences, counseling on opportunities for higher education, and workplace readiness training, as well as education in self-determination, self-advocacy, and individual rights;
- a person under age 25 cannot be paid subminimum wages unless the individual has received these pre-employment transition services or transition services under IDEA, and has applied for vocational rehabilitation services; and
- the individual must be given career counseling and information and referral to other resources for services to assist the individual in attaining competitive integrated employment by an entity that does not have a financial interest in the individual's employment outcome.

Transition planning should include local and regional agencies that can help a student access supports beyond secondary school by providing essential information about the process for applying for community-based long-term services and supports through Medicaid waiver and non-waiver services, Social Security disability benefits, affordable community-based housing options, workforce services and transportation options. Transition planning should clearly address student and family concerns about maintaining benefits, including health benefits, while the student pursues work and/or school.

Successful transition planning can only be accomplished when each student and his or her parents have the information, knowledge, skills, and access to supports and services that empower them to fully participate in the process of planning the student's future. The whole community, including

families, schools, businesses, employers, health care providers, public service agencies, and other stakeholders, must work together to identify, locate, and share resources to assist in promoting successful post-school outcomes. It should be the local education agency's responsibility to make information and education available to students and families regarding how to effectively participate in transition planning, including resources regarding how to secure an independently facilitated transition plan and resources to connect with others with personal experience. Students should have the opportunity to identify and select the participants in their transition planning processes.

Fragmentation of the various service delivery systems results in the provision of inadequate, untimely, and/or inappropriate services and costly duplicative efforts. Coordination among young adults and their families, local education agencies, outside agencies, and others on information sharing, flexible scheduling, and the timeline for plan implementation is essential to ensure successful transition from school to adult life.

The Council supports the position that providing effective transition planning and services for young adults with disabilities is beneficial for each community and the entire state. Students with disabilities who become employed enrich the diversity of our communities, rely less on publicly-funded services, and contribute to the overall well-being of the community's economic base.

Approved TBD



Texas Council for Developmental Disabilities

The mission of the Texas Council for Developmental Disabilities is to create change so that all people with disabilities are fully included in their communities and exercise control over their own lives.

2017 Public Policy Priorities

☐ Long Term Services and Supports:

Improve the system of long-term services and supports to ensure the availability, timeliness and quality of community-based services and supports for individuals with developmental disabilities throughout the lifespan with an emphasis on providing services in integrated, community settings thereby reducing reliance on the need for institutional services.

☐ Employment:

Improve the system of employment services and income supports for individuals with developmental disabilities, including programs that help individuals develop assets and resources and help students with disabilities transition from school to work, by maximizing federal opportunities.

☐ Education:

Protect the right of students with disabilities to an appropriate, inclusive, publicly-funded education that provides preparation for life's transitions, supports opportunities for full participation and eliminates the use of inappropriate disciplinary alternatives throughout the educational spectrum — from early education programs to post-secondary schooling.

☐ Guardianship Reform and Supported Decision Making:

Protect and promote the civil rights and well-being of people with developmental disabilities by improving access to alternatives to guardianship and advancing protections and rights for those for whom guardianship is found to be the least restrictive alternative.

For more information on these and other advocacy issues important to the Council visit:
<http://www.tcdd.texas.gov/public-policy/position-statements/>

Memorandum of Understanding

Texas Council for Developmental Disabilities and The Texas Education Agency

I. PURPOSE

This Memorandum of Understanding ("MOU") is entered into between the Texas Council for Developmental Disabilities, 6201 East Oltorf, Suite 600., Austin, Texas, hereafter referred to as the "TCDD," and the Texas Education Agency, 1701 North Congress Ave., Austin, Texas, hereafter referred to as the "TEA". The TCDD is established pursuant to the federal Developmental Disabilities Assistance and Bill of Rights Act as amended (42 USC 15001), hereafter referred to as the "DD Act", and by state statute at Chapter 112, Title 7, Texas Human Resources Code, hereafter referred to as the "State Act." Consistent with the DD Act, the Governor of Texas has designated TEA as the "designated state agency" to receive, account for and disburse funds available to TCDD and to provide administrative support to TCDD as appropriate. The purpose of this MOU is to identify the responsibilities of TEA as the designated state agency and the responsibilities of TCDD consistent with the DD Act and the State Act.

II. GENERAL AGREEMENTS

The State Act establishes the TCDD as a separate entity under state law, and delegates authority to the TCDD for all programmatic activities conducted with funds available to the TCDD. The State Act also establishes the Executive Director of the TCDD as the executive head of agency for the TCDD. TEA is responsible as the Designated State Agency to provide the services and support as indicated in this Memorandum of Understanding.

TCDD staff will be subject to the administrative rules and policies of the State of Texas and of its cognizant federal authorities. Pursuant to the State Act, the TCDD is responsible for selecting and hiring the Executive Director, when that position becomes vacant, and supervising the Executive Director consistent with state personnel policies and procedures of the TCDD. The TCDD Chair will prepare an annual performance evaluation of the TCDD Executive Director and serve as the "supervisor's supervisor" when required by state law or regulations.

The parties agree that TCDD staff will be responsible solely for TCDD activities and responsibilities and will not be assigned other duties nor guided in implementing activities by the TEA. It is TCDD's intent to be responsive to the limitations of TEA set forth in state law and regulation related to personnel decisions. In like manner, it is TEA's intent to be responsive to the intent of the DD Act that provides for the Council to determine the numbers and types of staff necessary to carryout TCDD responsibilities and activities. At any time that the Council determines the need to increase the number of TCDD staff positions above 18 currently authorized FTE's, TCDD and TEA shall jointly determine the procedure and timing for that increase to occur. Unless otherwise separately agreed by TCDD, those positions are available only to the TCDD and are not subject to staffing reductions of the TEA.

TCDD will work cooperatively with TEA to establish procedures for the processing of TCDD grants, contracts and personnel actions, recognizing that state and federal law vest fiscal, personnel, and rulemaking authority in the Council concerning activities carried out with funds available to TCDD. Federal law establishes that the TEA, and any other agency, office, or entity of the State, will not interfere with the advocacy, capacity building, and systemic change activities, budget, personnel, State plan development, or plan implementation of the Council.

TEA will provide administrative support services to the TCDD as detailed in this MOU. The provision of these services are subject to TEA's then-current operating procedures and systems. Nothing in this MOU obligates TEA to provide or purchase for TCDD any administrative service or support not regularly available or provided by TEA. Any requests by TCDD for modification to TEA services or support shall be subject to negotiation at the time of the request and to additional reimbursement as allowed by the DD Act. TCDD agrees to cooperate with TEA in providing any information needed by TEA to carry out its duties.

III. FINANCIAL, BUDGETING AND ACCOUNTING SERVICES

TEA has the following responsibilities and duties in state and federal law:

- A. Receive, account for and disburse funds on behalf of TCDD in accordance with the state and federal law and as authorized by TCDD staff, provided that TEA shall not encumber any funds available to TCDD, transfer any funds between TCDD budget categories or from TCDD to any other entity, or otherwise initiate charges or expenses against funds available to TCDD without specific authorization in advance by TCDD.
- B. Provide the fiscal controls and fund accounting procedures necessary for proper disbursement of and accounting for TCDD funds.
- C. Prepare required state and federal financial reports regarding TCDD funds, including TCDD review prior to submittal.
- D. Provide payroll services consistent with state and federal requirements.
- E. Provide timely financial information to TCDD to allow for the preparation of required fiscal reports to state and federal authorities.
- F. Provide or assist TCDD in securing the non-federal share of the cost of projects as required by federal law.
- G. Support TCDD in developing required state budget, strategic plan, performance measures, and appropriations request materials and related items (and other state reporting).

IV. HUMAN RESOURCES

TEA agrees to provide the following Human Resources services to TCDD:

- A. For state payroll and benefits purposes, administratively maintain TCDD employees as TEA employees.
- B. TEA agrees to provide recruitment, posting and processing of applications for TCDD positions.
- C. TEA will ensure compliance with EEO and ADA related matters and will act as the TCDD Executive Director's designee to implement a program of equal opportunity employment for the TCDD as required by the Texas Commission on Human Rights and state law.
- D. Other HR services as appropriate.

V. INFORMATION TECHNOLOGY SERVICES

TEA agrees to provide the following information technology services to TCDD:

- A. Information technology (IT) support to TCDD shall be provided through TEA Interagency agreements with the Department of Information Resources (DIR) and the state Data Center Service.

- B. TEA IT support to TCDD includes but is not limited to security oversight and operational functions to ensure compliance with the DIR TAC §202 requirements
- C. TEA IT support includes monitoring, provisioning and support for desktop and laptop computers, printers, networking server and network infrastructure, E-mail accounts, network connections (including LAN equipment and data circuits) and related hardware and software applications. As required to meet confidentiality requirements.
- D. TCDD will follow TEA Operating Procedures pertaining to information security and encourage TCDD employees to attend TEA information security classes.
- E. TEA IT support shall be provided in a manner that assures separate identity for TCDD computer functions including website (www.tcdd.texas.gov) and email (e.g. Beth.Stalvey@tcdd.texas.gov)

VI. OTHER ADMINISTRATIVE SERVICES

TEA agrees to provide the following administrative services to the TCDD unless TEA and TCDD jointly agree for TCDD to contract for such services separately:

- A. Provide appropriate assurances for the TCDD State Plan and consult with TCDD to maintain consistency of the State Plan with state law.
- B. Purchasing and procurement services that will enable TCDD to procure and receive goods and services consistent with state requirements and upon its own authority, including support and assistance concerning lease space for TCDD offices. TCDD personnel responsible for contract development and processing will consult with appropriate TEA personnel and participate in related TEA training.
- C. Training, professional development, and consultation services provided through TEA (Office of Organizational Effectiveness) to TCDD personnel as appropriate.
- D. Bulk mail services directly or through contract with another state agency.
- E. Manage TCDD's toll free number 1-800-262-0334.

VII. BUSINESS CONTINUITY AND DISASTER RECOVERY SERVICES

TEA and TCDD agree to furnish mutual aid to each other in the event of a declared disaster:

- A. The requesting party will notify the loaning party immediately upon declaration of a disaster. Services shall be made available to the receiving party within two hours of the notification.
- B. The loaning party will provide space, telephony, desktop and/or laptop computer equipment, and supplies to the requesting party. The loaning party, in its sole discretion, shall determine what can be spared at the time of the disaster without placing its own agency in jeopardy.
- C. The loaning party agrees to allocate a conference room to accommodate a minimum of 10 staff, with power to connect computers, and equipped with one conference phone. The requesting party will provide agency laptops, cell phones, and wireless hot spots, whenever possible.
- D. The requesting party will have sole use of the allocated space during the period of occupancy.
- E. All equipment and personnel loaned hereunder shall be returned upon demand of the lending party or when released by the requesting party upon the cessation of the emergency.
- F. No charge shall be assessed for services rendered by either party.
- G. TEA will include TCDD in their Business Continuity Plan for systems and business recovery.

VIII. OTHER UNDERSTANDINGS

- A. TEA understands that TCDD shall develop and authorize funding activities to implement goals and objectives in the approved TCDD State Plan within the limitations of available funds and applicable state and federal regulations. TCDD shall manage all aspects of the application, review, and approval processes for grants and contracts and shall provide ongoing project development and grants management oversight to funded projects. DD funded grant projects shall abide by all terms of the grant award and with all applicable federal and state requirements including the Uniform Grant Management Standards (UGMS) developed by the Governor's Office of Budget, Planning and Policy, and federal rules promulgated by the Office of Management and Budget (OMB) where applicable. Except as otherwise stated in this agreement, TCDD is solely responsible for the grant selection, award, and management activities of the Council. The TCDD Executive Director or his designee is the authorized signatory for all TCDD grants and contracts.
- B. TCDD, as a separate state entity under law, will comply with State of Texas administrative rules and policies applicable to State agencies of similar size regarding the provision of internal audit services. It is understood by the parties that TCDD currently contracts separately for Internal Audit Services to ensure compliance with State requirements. Should TCDD determine not to continue to separately acquire such services, it promptly will notify TEA and the parties will mutually agree on the provision of such services by or through TEA, as may be necessary.
- C. TCDD will provide updated designations of TCDD personnel with approval authority for various TCDD financial and personnel actions, which personnel shall correspond, as closely as possible, with the equivalent positions and authority of TEA employees.

IX. COMPENSATION FOR ADMINISTRATIVE SERVICES

TCDD agrees to reimburse TEA for the administrative services provided under this MOU consistent with provisions of the DD Act. TCDD will reimburse TEA not more than \$50,000 each fiscal year for basic services of accounting, budget, purchasing and HR services provided that TEA provides at least an equal share from non-federal resources as state match through the application of the indirect cost rate. Information technology support (as noted in Section V.B.) and all other services provided to TCDD by TEA will be reimbursed by TCDD to the extent allowed by state and federal law. TEA will provide TCDD documentation of the cost and allocation method for those services.

X. GENERAL PROVISIONS

Dispute Resolution: Disputes concerning implementation of this MOU between TCDD and TEA must first be resolved at the staff level if possible. If either party determines that the dispute cannot be resolved at the executive staff level, TCDD and TEA agree to pursue resolution through the use of mediation pursuant to the Government Dispute Resolution Act, Chapter 2009 of the Texas Government Code as applicable.

XI. TERM OF AGREEMENT

This MOU shall commence on September 1, 2016, and shall terminate on August 31, 2017. This MOU will be reviewed annually by the parties and will be renewed for additional (1) year periods to commence at the beginning of each fiscal year. This MOU may be expanded, modified, or amended at any time upon the mutual written agreement of TCDD and TEA.

This agreement may be terminated by mutual agreement of both parties. Either party may terminate the agreement by giving the other party written notice of its intent to terminate. Written notice may be sent by any written method which provides verification of receipt, and the 30 days will be calculated from the date of receipt. Such actions, however, do not alone affect the status of the Governor's designation of TEA as the TCDD designated state agency pursuant to provisions of the DD Act. In the event any provision of this agreement becomes unenforceable or void, such will not invalidate any other provision of this agreement.

THE UNDERSIGNED PARTICIPATING PARTIES do hereby certify that (1) the services specified above are necessary and essential for activities that are properly within the statutory functions and programs of the effected agencies of State Government, (2) the proposed arrangements serve the interest of efficient and economical administration of the State Government, and (3) the services, supplies, or materials in this MOU are not required by Section 21 of Article 16 of the Constitution of Texas to be supplied under Contract given to the lowest responsible bidder.

TCDD further certifies that it has the authority to receive the above services by authority granted in:
Executive Order RP-37.

TEA further certifies that it has authority to perform the above services by authority granted in:
Executive Order RP-37.

Texas Council for Developmental Disabilities

Texas Education Agency

By:
Mary Durham
TCDD Chair

By:
Shirley Beaulieu,
Chief Financial Officer

Date:

Date:

PROPOSED FY 2017 BUDGET

Revenues / Expenses	Budgeted FY 2016 10/5 - 9/16	Projected Year End Expenditures FY 2016 10/15 - 9/16	Proposed Budget FY 2017 10/16 - 9/17	Variance
Federal Allotment	\$4,916,387	\$4,916,387	\$4,767,409	-\$148,978 ¹
Total Revenues:	\$4,916,387	\$4,916,387	\$4,767,409	-\$148,978
Council Operations Expenses:	17 Full-time Employees (FTE)	17 FTE	17 FTE	no data
Salaries	\$1,033,324	\$1,003,704	\$1,123,791	\$90,467
Benefits	\$349,784	\$353,136	\$400,971	\$51,187
Professional Services	\$98,000	\$47,297	\$80,462	-\$17,538 ²
Out-of-State Travel	\$15,000	\$11,896	\$21,500	\$6,500 ³
In-State Travel	\$58,000	\$50,812	\$60,750	\$2,750 ³
Supplies	\$12,000	\$11,373	\$12,000	\$0
Utilities	\$32,000	\$23,281	\$32,000	\$0 ⁴
Rent, Building, Space	\$69,989	\$60,287	\$69,989	\$0 ⁵
Rent, Computers, Equip	\$40,000	\$34,664	\$40,000	\$0 ⁶
Capital Expenditures	\$0	\$0	\$0	\$0
Other Operating Expenses	\$95,367	\$49,146	\$117,317	\$21,950 ⁷
Total Operating Expenses:	\$1,803,464	\$1,645,596	\$1,958,780	\$155,316
Administration Reimbursement To TEA	\$50,000	\$50,000	\$50,000	no data
Available for Grants	\$3,062,923	\$3,220,791	\$2,758,629	-\$304,294
Total Expenses:	\$4,916,387	\$4,916,387	\$4,767,409	-\$148,978

NOTES:

1) Estimated Funding for FY17. Note: The FY16 allotment amount increased by \$102,470, due to funds returned by the Puerto Rico DD Council

2) Auditor — \$46,700 (Internal \$37,700 and Desk \$9,000); Legal Services — \$3,000
Attendant Care — \$10,000; Review Panelist — \$3,000; Consultant /Speaker — \$5,000
Web Hosting — \$1,800; DD Suite — \$7,500; and IT Services w/TEA — \$3,462.

3) Travel — In-State Council — \$38,750; Out-of-State Council — \$10,560; Travel — In-State Staff — \$22,000; Out-of-State Staff — \$10,940.

4) Utilities — \$10,300; Telecommunications — \$21,700; Dedicated Server — \$3,000.

5) Rent-Building & Space: Office and Storage Space — \$48,920; Quarterly Council Facility Rooms — \$21,069

6) Rent Machine: Rental of laptops — \$9,000; Quarterly Council AV rental — \$26,464; Rental of copier — \$4,536.

7) Other OE: NACDD Dues — \$20,625; Printing, Registration, Publications, Maintenance and Repair, Postage, Cleaning, Delivery, Advertising, Interpreter / translator, Security, Furniture and Equipment, Software, and Awards — \$96,692.

Texas Council for Developmental Disabilities

Council Policies

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Texas Council for Developmental Disabilities

Council Policies

Adopted by Council November 10, 2000

Revisions Approved May 10, 2002, August 8, 2003, August 13, 2004, November 5, 2004; February 4, 2005; February 3, 2006, November 3, 2006, August 3, 2007, February 22, 2008, February 12, 2010 and May 6, 2011

III. MEMBERS

(Revised 11/03/06)

- A. Membership. Members of the Council are appointed by the Governor in a manner consistent with federal (**Developmental Disabilities and Assistance Act**) and **Texas** state law. Members shall include individuals with developmental disabilities, parents of individuals with developmental disabilities, and representatives designated by the chief executive officer representing **the following federal and state programs.**
1. **The Individuals with Disabilities Education Act**
 2. **The Rehabilitation Act of 1973**
 3. **The Older Americans Act**
 4. **Title V of the Social Security Act**
 5. **Title XIX of the Social Security Act**
 6. **State Protection and Advocacy System funded under the DD Act**
 7. **University Center for Excellence in Developmental Disabilities (UCEDD at University of Texas)**
 8. **University Center for Excellence in Developmental Disabilities (UCEDD at Texas A&M University)**
 9. **Representatives of local and non-governmental agencies concerned with services for individuals with developmental disabilities**
 10. **Representatives of private non-profit groups concerned with services for individuals with developmental disabilities**
- B. Terms. Members of the Council serve staggered terms as specified in state statute.
- C. Council Member Expenses. Council members serve without salary but are entitled to receive reimbursement for actual expenses for all approved activities consistent with Council policies and state law.
- D. Conflict of Interest. Council members shall adhere to the Conflict of Interest Disclosure Policy as approved by the Council as Appendix I.

IX. TCDD GRANTS PROJECTS

(Revised 05/06/11)

- A. Scope
1. As authorized by 40 TAC 112.020 (a)(3), the Council may contract or provide grants to public or private organizations to implement the TCDD State Plan for Texans with Developmental Disabilities, if funds are available.
 2. These sections govern the submission and review of project proposals and the award, amendment, and termination of project contracts.
- B. Overview of TCDD Grants
1. The Council will identify priorities for funding projects based on the approved TCDD State Plan for Texans with Developmental Disabilities.
 2. Sources.

- (a) The Council may solicit proposals from state agencies, non-profit organizations, or private for profit organizations that have organizational expertise related to the requirements of the proposal.
 - (b) Unsolicited proposals may be submitted by organizations consistent with procedures approved for such submissions by the Project Development Committee.
 - (c) The Council may develop projects with organizations without competitive proposals when only one known best expert is available, for business necessity, or when otherwise allowed by Council determination.
 - (d) Nothing herein shall be construed to prohibit any firm, agency, or organization with which any member of the Council is associated from receiving a grant from the Council providing the Council member does not receive compensation or financial gain from the grant as outlined in the Conflict of Interest policy.
3. Requests for Proposals will be published in the Texas Register and a notice will be provided to organizations on the Council's Web site and mailing list.
 4. TCDD may reject all applications submitted in response to a request for proposals and may cancel a grant solicitation at any point before a grant award is finalized.
 5. Council staff provides technical assistance and support to grant projects including training for new grantees. Council staff also monitors grantee accomplishments and compliance with TCDD Grants procedures by conducting one or more on-site monitoring visit(s) to each grant project annually unless otherwise provided by a risk assessment methodology approved by the Audit Committee. Summary reports of on-site visits are provided to the Executive Committee.
 6. TCDD funds shall not be used to conduct clinical research.
- C. General Selection Criteria
1. Grants shall be awarded based on guidelines that reflect state and federal mandates. Selection criteria shall be designed to select applications that provide best overall value to the state and to the Council.
 2. Evaluation Criteria shall include but not be limited to:
 - a. program quality as determined by a peer review process; and
 - b. the cost of the proposed project.
 3. The Council may consider additional factors in determining best value, including:
 - (c) financial ability to perform services;
 - (d) state and regional needs and priorities;
 - (e) improved access for unserved or underserved areas and or groups of individuals;
 - (f) ability to continue services after conclusion of grant funding, if applicable; and
 - (g) past performance and compliance.
- D. Application Requirements
1. Council staff shall develop a "Grant Application Packet" for each Request for Proposal. Grant Application Packets shall be available upon request from the Texas Council for Developmental Disabilities with each Request for Proposal and will be made available at the Council's Web Site.
 2. The Grant Application Packet will include at a minimum:
 - (a) goals describing the purpose for the grant program;
 - (b) eligibility requirements;
 - (c) description of the project activities and outcomes;
 - (d) application forms and instructions;

- (e) application requirements and restrictions; and
 - (f) selection criteria and the process to evaluate grant proposals and select proposals for awards.
3. The Applicant shall use the format included in the Grant Application Packet. A proposal which is submitted in a format that is substantially different from the Council's format will not be considered.
 4. Proposals received after the closing date will not be considered, unless an exception is approved. The Executive Director is authorized to approve requests for exceptions for good cause received prior to the closing date. Exceptions requested after the closing date may be approved only by the Executive Committee. Any exceptions shall be documented in writing and retained as part of the grant application file.
 5. Projects seeking continuation funding may have separate application forms, instructions, and procedures, as determined by Council staff.
- E. Screening of Proposals
1. Council staff will screen applications to determine if all information has been provided in a timely fashion, on prescribed forms.
 2. An application must be complete for consideration and shall include a signature by the proper authorizing official.
 3. Council staff will provide written notification to applicants eliminated through the screening process.
- F. Peer Review Process
1. The Council shall use peer reviewers to evaluate proposals submitted in competitive requests for proposals, exclusive of stipends grant proposals when the award is greater than \$15,000.
 2. Council staff shall serve as the review panel for stipends grant proposals and for other grants when authorized funding \$15,000 or less yearly.
 3. All reviewers shall disclose any conflicts of interest with individuals associated with applications to be reviewed.
 4. The Executive Director shall submit recommendations for Review Panel members to the Executive Committee for approval. Council members and staff will be asked for suggestions of professionals and public citizens to evaluate proposals. Reviewers may not evaluate proposals in which there is, or is an appearance of, a conflict of interest.
 5. Council staff shall provide written instructions and training for all Review Panel members.
 6. Council staff shall convene a meeting with each Review Panel and shall record the summary evaluation of the review of each proposal.
- G. Funding Decisions
1. Council staff shall submit a recommended priority ranked list of applicants for possible funding. Final approval of organizations to receive grant funding exclusive of stipends grant awards, shall be determined by the Executive Committee.
 2. Final approval of organizations to receive grant funding for stipends projects shall be made by the Executive Director. Notice of such actions shall be provided in a timely manner to the Executive Committee and Council.
 3. Council staff may negotiate with selected applicants to determine the final terms of the award. To receive an award, the applicant must agree to perform the activities as presented in the request for proposals and accept any additional or special terms or conditions listed in the grant award and any changes in the grant application. Any revisions to the project proposal shall become part of the grant award and shall be documented in writing.

4. Grant awards shall contain appropriate provisions for program and fiscal monitoring and for collection and submission of evaluation data and related reports.
5. Applicants must give assurances that the grantee will abide by the terms of the grant award; the Uniform Grant Management Standards (UGMS) adopted by the Governor's Office of Budget and Planning, and federal Rules related to these funds promulgated by the Office of Management and Budget (OMB) where applicable, as determined by Council staff; and these policies.
6. The Council Executive Director may negotiate and approve changes in the project proposal that address concerns and weaknesses noted from the review process, and/or which assure consistency with the intent of the RFP. Any revisions to the project proposal shall become part of the grant award and shall be documented in writing.
7. Council staff shall notify unsuccessful applicants in writing.

H. Continuation Funding

1. Projects may be eligible for continuation funding as specified in the original request for proposals. Continuation funding will not be automatic. Consideration for continuation funding will include a review of the project's accomplishments, progress toward stated goals and objectives, financial management of grant funds, compliance with reporting requirements, review of the most recent project audit, review of findings from TCDD onsite reviews, and development of alternative funding. The grantee shall submit a proposal for continuation funding as requested by TCDD staff.
2. The Executive Committee may approve continuation grants after a review in accordance with the provisions of these policies. A summary of past accomplishments and future activities of each project awarded continuation funding shall be provided to the Council.

I. Appeal of Funding Decisions

1. Appeals may be submitted from applicants for grants who did not receive funding or from grantees whose grants have not been awarded continuation funding. The person or entity appealing shall be known as the appellant. **An appeal is not an opportunity for an applicant to provide additional information that could have been included in the original proposal. To do so would create a two-stage review process that is not part of the Council's current policies.**
2. Appeals of funding decisions shall be received, processed, and resolved with fairness and promptness.
3. The appellant shall file an appeal in writing addressed to the Executive Director. The written appeal must be postmarked within 10 workdays of the date of the written notice of suspension or within 15 workdays of the date of written notice of denial or of continuation funding. The written appeal shall include all relevant facts and information that the appellant wishes to have considered as well as the proposed remedy being sought. The Executive Director will acknowledge receipt of the letter with a copy to the Executive Committee.
4. The Executive Director will investigate, compile, and study all relevant information about the appeal and, within 30 workdays of the receipt of the appellant's letter and submit a written report to the Executive Committee. The report will contain recommended action and the evidence supporting the recommended action. **The report may not include an evaluation of additional information provided by the appellant when such information could have been included in the original proposal.**
5. The Executive Committee may approve the recommendations of the executive director, make such modifications as deemed appropriate, order further investigation, or take other appropriate action.
6. The decision of the Executive Committee is final.
7. Council staff shall notify the appellant of the final determination of the appeal.

J. Payment Withhold of Grant Funding

1. The Executive Director may grant a payment withhold of grant funding for a grant project prior to the end of the grant budget period pending the result of corrective measures if a grantee fails to comply with the terms of the grant, after consulting with the Council Chair. The Executive Committee shall be notified of any payment withhold.
2. TCDD shall provide written notice to the grantee of the proposed payment withhold of grant funding at least 10 business days (2nd revised deadline) prior to any withheld payments.
3. That notice shall state the reasons for the payment withhold of funding and the procedure for requesting reconsideration.
4. If report(s) are not received by the 2nd revised deadline (10 business days from the initial request), TCDD will implement an immediate hold on all payments to the grantee pending receipt of any late report(s).
5. When late reports are received from a project after a payment hold has been initiated, TCDD will restore payment for requests pending for not more than 60 calendar days but may partially restore payments for the any period beyond 60 calendar days in arrears as outlined.
6. The payment withheld will be rescinded and any outstanding payment requests processed, except that:
 - (a) Payments will be restored for only the past 60 calendar days. Reimbursements for any period of a payment withheld for more than 60 calendar days may be partially restored in the following manner:
 - i. Payments for the period from 60 – 90 calendar days will be restored at 90% of the requested amount.
 - ii. Payments for the period from 90 – 120 calendar days will be restored at 50% of the requested amount.
 - iii. Payments for the period longer than 120 calendar days past will not be restored.
7. A Notice of Grant Award for any project that is more than 60 calendar days late in submitting required reports will be prepared with a payment hold in place until all reports are received. The same schedule for reducing the amount of payments restored as noted above will apply.
8. Any reports required from the prior grant award period will cause the subsequent award to be subject to the same payment withhold process and schedule for partially restoring payments.
9. In the event that withheld payments are not fully restored, the grantee may appeal to the Executive Director. Any appeal will be considered by the Executive Committee at its next regularly scheduled meeting. Actions of the Executive Committee on such appeals are final.(Item I – Appeals)
10. Payment withhold will remain in effect until the grantee has taken corrective action, given an assurance approved by the Executive Director that the corrective action will be taken, or the grant is suspended.

K. Suspension of Grant Funding

1. The Executive Director may suspend grant funding for a grant project prior to the end of the grant budget period pending the result of corrective measures if a grantee fails to comply with the terms of the grant, if anticipated outcomes or deliverables are no longer viable, or if the original purposes for which funding was approved are no longer evidenced. The Executive Committee shall be notified of any suspensions.

2. TCDD staff shall provide written notice to the grantee of the proposed suspension of grant funding at least 10 workdays prior to any suspension except as provided by Section L, Subsection 3. That notice shall state the reasons for the suspension of funding and the procedure for requesting reconsideration.
3. A suspension may be effective immediately if, after consulting with the Council Chair, the Executive Director determines that delayed action does not protect the interests of the Council.
4. A grantee shall have the opportunity to request reconsideration of the suspension of grant funding. The grantee must provide a written request for reconsideration to the Executive Director no later than 10 workdays after receiving notice of suspension of funding. A request for reconsideration must include all facts and information the grantee considers to be relevant to the situation and a proposed plan of correction. If a grantee does not request reconsideration in writing within the specified time period the grantee will be deemed to have waived any further review and grant funding will be suspended.
5. If the Executive Director determines that the responses of the grantee are not satisfactory, the grantee's authority to obligate funds may be suspended. TCDD staff shall provide the grantee a written notice of suspension that will set the effective date for suspension and identify any allowable costs that the grantee may incur during the period of suspension.
6. Suspensions remain in effect until the grantee has taken corrective action, given an assurance approved by the Executive Director that the corrective action will be taken, or the grant is terminated.

L. Termination of Grant Funding

1. The Council or the Executive Committee may terminate grant funding prior to the end of the grant budget period if a grantee fails to comply with the terms of the grant, if anticipated outcomes or deliverables are no longer viable, or the original purposes for which funding was approved are no longer evidenced.
2. The Executive Director may recommend to the Executive Committee termination of grant funding if corrective actions are not taken during a suspension period or if the corrective actions are not sufficient to remedy the concerns. In such instances, the Executive Director shall provide a summary report to the Executive Committee including the reasons for which a termination of funding is recommended, additional information provided by the grantee pursuant to a request for reconsideration, if any, corrective actions proposed by the grantee, and the proposed date for termination of funding.
3. The grantee shall be provided written notice of the recommendation to terminate funding at least 10 workdays prior to the meeting of the Executive Committee to consider that recommendation. Such notice shall include the date and location of the Executive Committee meeting where the recommendation to terminate funding will be considered.
4. The decision of the Executive Committee is final.
5. The Executive Director may also recommend to the Executive Committee that grant funding be terminated without an initial suspension of funds. In such instances, the grantee will be provided written notice of the recommendation to terminate funding at least 45 calendar days prior to the proposed termination. That notice shall state the reasons for the termination of funding, the proposed date of termination, and the procedure for requesting reconsideration. The grantee shall have the opportunity to request reconsideration of the proposed termination by filing a written request for reconsideration with the Executive Director not later than 10 workdays after receiving notice of the proposed termination.
6. If circumstances warrant, grant funding may be terminated by the Executive Committee or Council for cause without notice of suspension when delayed action does not protect the interests of the Council. In such instances, TCDD staff shall provide written notification of

the termination which shall include the reason(s) for such action and instructions for termination or closeout of the grant.

7. Grant funding may also be terminated may by mutual agreement or by the grantee when the grantee's authorizing official gives written notification to the Executive Director. TCDD staff shall provide written notification of termination by joint agreement, or written acknowledgement of the termination notice if by the grantee. Such notice or acknowledgement shall include written instructions for termination or closeout of the grant.
8. The TCDD Executive Director may approve TCDD assuming the federal share of any obligations that cannot be cancelled.
9. A grant, or portion thereof, may also be terminated at the grantee's request by approval of the TCDD Executive Director.
10. Between the time of the proposed termination and the final decision of the Executive Committee, TCDD may withhold further funding. In the event the Executive Committee's decision is favorable to the grantee, the funds shall be promptly distributed to the grantee.

M. Financial Monitoring and Independent Audits

1. Independent audits of grantees are required for each year of funding in accordance with the requirements of OMB Circulars and Texas Uniform Grant Management Standards.
2. Project specific independent audits, annual independent review by a qualified CPA, agreed upon procedures of engagement for review by a qualified CPA, and/or other monitoring strategies shall be required of grantees not subject to annual independent audit requirements by OMB or UGMS. Appropriate monitoring strategies shall be based on an assessment of risk of each grantee and procedures approved by the Audit Committee.
3. The Council shall reimburse the grantee for the reasonable cost of the required audit or other required monitoring activity. TCDD staff shall determine the need for independent audits of grantees receiving less than \$100,000 annually of DD funds based on an assessment of risk of each grantee.
4. Staff shall provide to the Audit Committee a summary of the findings of each independent audit or required monitoring activity and the status of corrective actions required.

N. Funding Restrictions

Grantees will be subject to the following funding restrictions, unless statute or Council rules require otherwise:

1. TCDD shall provide not more than 75% of the total project costs from federal DD funds except for activities in designated poverty areas in which case federal funds provided by the Council shall be not more than 90% of total costs.
2. The Executive Director may reduce or waive the matching requirement of individual grant projects when deemed appropriate and shall report any such waiver to the Executive Committee.
3. Grantees are responsible to provide funds for the additional costs of project activities from non-federal sources.
4. DD funds are allowed for indirect administrative costs up to 10% of total project expenses. Any portion of indirect costs above 10% may be allowed as part of the required non-federal participant share.
5. Donated time and services may be included as a match contribution unless otherwise restricted by a specific request for proposals.
6. Council staff shall provide information about allowable non-federal sources of funds upon request.
7. No organization shall receive more than three (3) grants from the Council at any time.
8. Unallowable costs.

Information is available from Council staff concerning unallowable costs. Such costs will include but are not limited to the following:

- a. bad debts;
 - b. entertainment;
 - c. legislative expenses;
 - d. expenses required to be reported as lobbying by state statute; and
 - e. merit salary increases that total more than 5% of an individual's salary during a 12 month period.
9. Any revenues received from projects funded by the Council must be reported quarterly on forms provided by the Council. Council staff must approve use of such funds.
- TCDD Grants Policies and Procedures
 1. All grantees shall receive a TCDD Grants Manual that contains all requirements, procedures, and reporting forms for grantees.
 2. The Executive Director will approve all revisions to a project work-plan, including performance measures, staffing pattern, or budget, providing the changes are within the total budget and general scope of work approved by the Council.
 3. A grantee seeking to increase the authorized funding amount, length of project, or scope of work shall file a request with the Council. The request shall be submitted to the Executive Director with a justification for the change. The Executive Director shall review the request and make a recommendation to the Council. The Council's decision to approve or deny the request is final.

COUNCIL PROCEDURES

Revisions Approved – May 2011

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COUNCIL PROCEDURE 11. MEMBER TRAVEL EXPENSE REIMBURSEMENT POLICY

1. **General.** State statute authorizes Council members to receive reimbursement for "actual expenses incurred in performing their duties, including travel, meals, lodging, and telephone long distance charges" (112.015 HRC, V.T.C.A.). Separately, language in the state appropriations act also directs agencies to conserve funds by maximizing economy and efficiency when planning travel, and stipulates that travel reimbursements are for "necessary and reasonable expenses" ... "only when the purposes of the travel clearly involve official state business..." It is therefore the policy of the TCDD that:
 - a. Council members are encouraged to stay at the hotel where rates have been negotiated by staff, or at a hotel with comparable state government rates. When group rates have not been negotiated, members are eligible for lodging expenses that are reasonably comparable to "state government rates" in that location. Reimbursement for lodging for Council members may not exceed twice the maximum rate for state employees.
 - b. Council members shall be eligible for reimbursement for actual expenses for meals, but not more than twice the maximum rate for state employees. An overnight stay is not required for reimbursement for actual meal expenses.
 - c. Council members are expected to attend the majority of the event for which travel reimbursement is requested. If the member also conducts non-Council business while in the same location, it is expected that travel expenses will be allocated accordingly to Council and non-Council business.
 - d. Council members may receive reimbursement for reasonable and necessary personal assistance services, including attendants and respite care. Reimbursement for travel expenses for personal attendants is limited to the same amounts as would apply to the Council member.
2. **Travel Advance.** Council members may request a travel advance to avoid financial hardship due to Council related travel expenses.
3. **Exceptions.** Recognizing that individual circumstances may require exceptions to the expense limitations noted above, the Chair of the Council is authorized to make final determinations of "reasonable and necessary expenses" which are in excess of these amounts.
4. **Travel Events.** Reimbursement for travel expenses will be authorized in the following situations:
 - a. Travel expenses to attend Council and Committee meetings are authorized in advance and do not require prior approval of the Chair except as noted below.
 - b. Travel expenses are also authorized in advance to attend meetings on behalf of the Council, to speak or testify on behalf of the Council, or to otherwise act as a Council representative at the request of the Council Chair or the Executive Director.
 - c. Council members may request approval to attend a conference, workshop or other event related to the Council's business, including events coordinated by TCDD grantees with funds awarded by the Council. In general, approval will be limited to no more than one such event per year for each Council member. The requesting member must demonstrate the importance to the Council of the event in the justification on the travel request form. The requesting member is responsible to submit a travel request form in advance and submit for consideration by the Chair.
5. **Agency Representatives:** Members who are representatives of State Agencies (or their alternates) are eligible for reimbursement for travel expenses in the same manner as all other Council members except that Council policy asks that their agency be responsible for travel expenses for the first Council or Committee meeting during the fiscal year. Otherwise, these guidelines are applicable to all Council members.

6. Exceptions.

- a. Council members are not eligible to receive reimbursement for travel expenses from TCDD funded stipends grantees.
- b. In general, Council members should not receive reimbursement from other TCDD funded grantees for travel expenses. Exceptions may be approved in advance by the Executive Director or Chair.

7. Travel Guidelines and Reimbursement Procedures.

- a. **State Contracted Travel Vendors.** State travel regulations require all persons traveling on state business, including Council members, to use the contracted state travel vendors and follow all state travel rules.
- b. **Air Transportation.**
 - i. TCDD staff will purchase airline tickets for Council members through a direct billing process. Please contact the TCDD Executive Assistant with the dates and times of travel so that she may make the appropriate arrangements. Confirmation will be e-mailed or faxed to the member.
 - ii. Even though airfare is charged directly, **airline receipts must be submitted** with a reimbursement request.
 - iii. First class airfare is not payable unless it is the only flight available to conduct Council business or is required as a reasonable accommodation.
 - iv. Cancellation charges are payable only if travel was canceled for a TCDD business-related reason.
 - v. If Council members depart from a location other than their home city and travel to conduct approved Council business, reimbursement is limited to the average coach airfare between their home city and destination or departure point and destination, whichever is less.
- c. **Lodging.**
 - i. Council members are **not** exempt from state, county, and local hotel/motel occupancy tax and will be reimbursed for these charges
 - ii. Original lodging **receipts** are required. If the receipt is lost, a copy of the receipt, a copy of the canceled check, a credit card slip or letter from the hotel/motel will be accepted as proof of payment. The receipt must include the following information:
 - Date(s) of travel
 - Name of traveler
 - Name of hotel/motel
 - Amount of lodging charge
 - Number of people occupying room
- d. **Meals. Receipts** are not required but meals should be itemized on back of travel expense record. Please note: reimbursement is not allowable for some items including liquor, tips, and entertainment.
- e. **Personally Owned Automobiles.** Members are entitled to be reimbursed for mileage incurred driving to meetings or to and from the airport, etc. Reimbursement may not exceed the actual number of miles traveled for business purposes and the current maximum mileage reimbursement rate. The number of miles allowable for reimbursement may not exceed the mileage for the most cost-effective reasonably safe route. And, the number of miles traveled may be determined by the vehicle's odometer reading or by an online mapping service such as mapquest.com

- f. Mileage is also reimburseable for travel if someone transports the member to the airport and picks them up upon their return. In those instances, the roundtrip mileage is allowable for both trips so long as it is less than the cost of parking the Council member's car at the airport. Parking fees incurred while on official state business are also an allowable expense.
- g. **Rental Cars.** The use of rental cars by Council members **must be approved by the Council Chair in advance.** In most instances, taxi or limousine services should be used since they are more economical than rental cars for Council business activities. Rental cars are also direct billed per state contracts so must be coordinated by the TCDD Executive Assistant. A receipt is required for rental cars.
- h. **Public Transportation.** The original receipts are required for airfare, bus, or trains but not for inner-city bus, taxi, shuttle, mass transit, and limousine fares. An itemized list of all claims showing destination, date, and amounts of each trip for public transportation must be shown on the Travel Voucher.

In all instances, Council members are expected to use the most economical method of transportation, considering all relevant circumstances.

i. **Personal Assistance Services.**

- i. Council members with disabilities who require personal assistance services may pay and be reimbursed for fees and actual travel expenses of an attendant not to exceed the allowable travel expenses for Council members. Receipts for fees and all attendant travel expenses are required. Attendant services fees may not exceed \$20 per hour for a 12 hour day and not more than \$35/night if an overnight stay is required without prior approval.
 - ii. If assistance is obtained by the Council member, i.e., bell hop to aid with luggage, and monies are given in return for assistance, that amount may be claimed as an "attendant cost." A receipt is required.
 - iii. Council members who require respite care services for a child with a disability during the time they are away from home are eligible for reimbursement of fees for such services not to exceed \$20 per hour for a 12 hour day and not more than \$35/night if an overnight stay is required for those hours that are in addition to what the member would otherwise have paid during that time period. Receipts for respite services fees are required.
 - iv. Reimbursements for personal assistance services may not supplant other sources of funds that would have reimbursed similar services during the same time period. Family members living in the same home as the member are generally not eligible for reimbursement for providing personal assistance services but are eligible for other travel expenses incurred when providing assistance to a council member. However, individuals who are a certified waiver provider for their family member may be reimbursed for those expenses.
- j. **Travel Advances.** Travel advances are available to assist Council members to avoid financial hardship due to Council related travel expenses. Prior approval is required. Requests for travel advances must be received by TCDD staff at least 15 workdays prior to the departure date of travel. Please contact the TCDD Executive Assistant for further information about travel advances.
 - k. **Miscellaneous Expenses.** Other TCDD business related expenses such as telephone calls, postage and copying costs incurred while in travel status are also reimbursable and should be included on the travel expense record. If any of these expenses are incurred while not in travel status, please submit receipts separately and a purchase voucher will be prepared.

COUNCIL PROCEDURES**REVISIONS APPROVED MAY 2011**

- l. **Individual Circumstances.** Recognizing that individual circumstances may require exceptions to the expense limitations noted, the Chair of the Council is authorized to make final determinations of "reasonable and necessary expenses" which are in excess of these amounts.
- m. **Processing of Travel Vouchers.** Once a completed Travel Expense Record is received by TCDD staff, it takes about 5-10 workdays to process in the TCDD office and the TEA Travel Section before a state warrant to be mailed to the Council member. Checks will be direct-deposited for Council members employed by a state agency unless instructed otherwise. All questions regarding processing of travel vouchers can be addressed to the TCDD Executive Assistant. Council members are asked to submit all travel expense information within 10 workdays of when the travel occurred. Reimbursement for expenses after vouchers are submitted require special approval.

Revisions Approved April 8, 2010

Approved May 6, 2011

COMMITTEE OF THE WHOLE August 4, 2016 — MINUTES

Council Members Present

Mary Durham, Council Chair
Hunter Adkins
Kimberly Blackmon
Gladys Cortez
Kristen Cox
Mateo Delgado
Stephen Gersuk
Mary Faithfull, DRT
Ivy Goldstein, DSHS
Jennifer Kaut, DARS
Ruth Mason
Scott McAvoy
Michael Peace
Ron Roberts, TEA
Amy Sharp, UT CDS
Meagan Sumner, A&M CDD

David Taylor

Lora Taylor

Richard Tisch

John Thomas

April Young, HHSC

Donnie Wilson, DADS

Council Members Absent

Kristine Clark

Dana Perry

Brandon Pharris

Guests Present

Justin Babineaux, DADS

Mary Cooper

Kyle Cox

Isabel Evans

Rachel Jew, DSHS

Jean Langendorf

Stephanie Sokolowsky

Larry Temple

Staff Present

Beth Stalvey, Executive
Director

Martha Cantu

Joanna Cordry

Cynthia Ellison

Danny Fikac

Ashley Ford

Linda Logan

Jessica Ramos

Fernando Rodriguez

Joshua Ryf

Koren Vogel

Call To Order

The Committee of the Whole of the Texas Council for Developmental Disabilities convened on Thursday, August 4, 2016, in the Salon A-C of the Horseshoe Bay Resort, 200 Hi Circle North, Horseshoe Bay, TX 78657. Council Chair Mary Durham called the meeting to order at 9:32 AM.

1. **Introductions**

Council members, staff and guests introduced themselves.

2. **Public Comments**

No public comments were offered to the Committee.

3. **Chair and Executive Director Remarks**

TCDD Executive Director Beth Stalvey and Council Chair Durham did not offer any formal remarks.

4. **Employment in Texas**

Executive Director Stalvey explained that the focus of the meetings would be on Employment and the Committee would have several interactive presentations on this topic. She introduced Larry Temple, Executive Director of the Texas Workforce Commission (TWC), who began his discussion with the topic of transformation of services from the Department of Assistive and Rehabilitative Services (DARS) to TWC. The primary goal for the transformation is for there to be no interruption of services on the consumer level. Consumers will keep the same vocational rehabilitation (VR) counselors in the same office spaces. He explained that the first change in the

next year will be to incorporate services for consumers who are blind into general VR services. He also noted that VR services have been divided into six regions across the state, blind services have been in two regions, and workforce services have had seven regions so a new configuration of six regions is being developed that should work for all services.

Temple noted that there are 193 TWC “One-Stop” centers across the state that have resource rooms and that \$600,000 has recently been spent to update the centers with assistive technology such as JAWS readers. He noted that there is a great deal of resources for individuals (with and without disabilities) who are looking for employment and he encouraged members to become acquainted with the “One-Stop” centers and to explore the resources available through the TWC website.

Temple next spoke about the new federal training Workforce Innovation and Opportunity Act (WIOA), noting that services in Texas have used a consolidated service delivery model since 1995, so he does not expect the transition to be difficult. With VR services moving to TWC, all WIOA services will be administered by the same agency which will streamline referrals because the same reporting system is used for all services, It will also allow easier access for individuals with disabilities to receive things like childcare as well as other employment services.

Temple further explained that TWC placed 1.5 million people with jobs during the last fiscal year and DARS placed 100,000. He recognizes that services for people with disabilities are very individualized but he hopes there will be expertise brought from both programs to create a successful merger and serve all Texans.

TCDD Public Policy Specialist Linda Logan introduced Jean Langendorf of Disability Rights Texas who also serves as the Chair of the Purchasing from People with Disabilities Advisory Committee. Langendorf presented the recent Disability Rights Texas (DRTx) report on sub-minimum wage employment entitled “Living on a Dime and Left Behind – How a Depression-Era Labor Law Cheats Texas Workers with Disabilities” and members received a full copy of the report in their meeting materials. She noted the investigation was done as part of a national effort to examine the treatment of people with disabilities in sheltered workshops. 109 Texas employers have 14(c) certificates which allow employees to be paid less than minimum wage. DRTx found that some workers are paid less than \$0.50 an hour and 18 organizations also serve as the Representative Payee for the employee. She also noted that Texas law supports the 14(c) organizations by requiring Texas state agencies to purchase the goods and services produced by these organizations. Three critical and overarching findings were presented in the report: 1) Texas has systematic problems regarding fair wages, employment growth and vocational opportunities for people with disabilities. 2) Texans in sheltered workshops are not being paid fairly. 3) By relying on the sheltered workshop system, Texas is putting people with disabilities at risk of unnecessary risk of segregation, isolation and exploitation. DRTx recommends phasing out this system and moving toward fully competitive and integrated employment, overhauling day-habilitation services, providing more job training and development in Texas programs, and removing barriers to hiring people with disabilities in state agencies.

Public Policy Specialist Logan next presented on other federal and statewide advocacy efforts regarding employment issues. She discussed the need for culture change and identified six core strategies including leadership, workforce development, development of tools and resources, use of data and performance outcome measures, involvement of individuals and families in all efforts, and exploring individual basis for services. Logan reviewed services for individuals with disabilities receiving Medicaid waiver services and noted that 63.9% have been approved for day habilitation services (with 57.4% receiving those services) while only 0.94% were approved for employment assistance (with 0.43% receiving) and 1.83% were approved for supported employment (with 1.24% receiving).

Logan further discussed implementation of WIOA, noting that the Act promotes Competitive Integrated Employment for all workers. She also noted that the federal Department of Labor recently began a concentrated effort to raise awareness on the limitations of payment of sub-minimum wages and produced a card on the rights of workers with disabilities. As part of WIOA, all sub-minimum wage workers must receive career counseling from TWC and receive information about training every six months. She further discussed WIOA guidelines for youth and young adults to include expanded eligibility for pre-employment services, additional VR funding allocated to transition services, and prohibition of school contracts that place student with disabilities in sheltered workshops. She reminded members that a number of TCDD projects meet WIOA guidelines for pre-employment services and those projects include the three higher education for employment projects as well as the enabling technology projects.

Logan next introduced Stephanie Sokolosky, Chair of the Employment First Taskforce (EFTF) and Interim Chair of the Autism Council. Sokolosky reviewed draft recommendations from EFTF which include bringing employment and transition services into compliance with WIOA and Employment First policies and moving away from segregated and/or sub-minimum wage earning settings to competitive integrated employment.

Chair Durham next presented on her work with the National Task Force on Workforce Development for People with Disabilities where she served on the sub-committee on Career Readiness and Employability. The sub-committee offered 11 policy recommendations to the Task Force to improve each state's policies on employment for people with disabilities. The recommendations include:

- States should have an internal and external focus on disability etiquette and awareness to include all types of disabilities including visible and hidden disabilities.
- State should be a model employer.
- State should engage private and non-profit sector employers around workforce development for people with disabilities.
- Entrepreneurship and self-employment training are key strategies in laying the groundwork for successful workforce development for people with disabilities.

- Helping individuals with disabilities prepare to enter the workforce.
- Family involvement is key for youth and young adults. Finding work and managing logistics of transportation are critical to success.
- The built workplace environment – accessible housing, public transportation, etc. – is key for individuals with disabilities.
- Develop policies to retain employees whose status can change over time with new or different challenges.
- State procurement policy and Disability Owned Business Certification are necessary workforce development strategies.
- Technology supports should be made available to all employees.

5. Council Challenge

The Committee received additional updates from staff regarding TCDD staff activities such as federal reporting and conference attendance. Committee members also discussed recent Texas specific news items that involve people with disabilities such as cuts to Medicaid reimbursement rates for therapies and findings of lead in drinking water at state supported living centers. General statistics such as life expectancy and poverty rates for people with disabilities were also discussed.

Adjourn

Council Chair Durham adjourned the Committee of the Whole at 1:55 PM.

Beth Stalvey, Secretary to the Council Date